

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Bystolic Antitrust Litigation

Case No. 1:20-cv-05735-LJL

This Document Relates To:

ALL ACTIONS

JOINT [REDACTED] STIPULATED SCHEDULING ORDER NO. 4

WHEREAS, upon review of the the Direct Purchaser Plaintiffs' Third Consolidated and Amended Class Action Complaint, ECF No. 373; End-Payor Plaintiffs' Second Consolidated Amended Class Action Complaint and Jury Demand, ECF No. 376; Walgreen Plaintiffs' Third Amended Complaint and Demand for Jury Trial, *Walgreen Co. v. AbbVie Inc.*, No. 1:20-cv-09793, ECF No. 43; and CVS and Rite Aid Plaintiffs' Third Amended Complaint and Demand for Jury Trial, *CVS Pharmacy, Inc. v. AbbVie Inc.*, No. 1:20-cv-10087, ECF No. 41 (the "Amended Complaints"), the Parties¹ agree that a new briefing schedule is warranted for any motions to dismiss the Amended Complaints;

NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE TO THE FOLLOWING SCHEDEULE:

¹ "Plaintiffs" are (1) J M Smith Corporation d/b/a Smith Drug Company and KPH Healthcare Services, Inc., a/k/a Kinney Drugs, Inc. (together, "Direct Purchaser Plaintiffs"); (2) Mayor and City Council of Baltimore; UFCW Local 1500 Welfare Fund; Teamsters Western Region & Local 177 Health Care Plan; Fraternal Order of Police, Miami Lodge 20 Insurance Trust Fund; Law Enforcement Health Benefits, Inc.; Teamsters Local No. 1150 Prescription Drug Benefit Plan; Teamsters Local 237 Welfare Fund; and Teamsters Local 237 Retirees' Benefit Fund (collectively, "End-Payor Plaintiffs"); and (3) CVS Pharmacy, Inc., Rite Aid Corporation and Rite Aid Hdqtrs. Corp., Walgreen Co., The Kroger Co., Albertsons Companies, Inc. and H-E-B, L.P. (collectively, "Retailer Plaintiffs").

"Defendants" are AbbVie Inc., Allergan, Inc., Allergan Sales, LLC, Allergan USA, Inc., Forest Laboratories, Inc., Forest Laboratories Holdings, Ltd., Forest Laboratories Ireland, Ltd., Forest Laboratories, LLC, Hetero USA Inc., Hetero Labs Ltd., Hetero Drugs Ltd., Torrent Pharmaceuticals Ltd., Torrent Pharma Inc., Ascend Laboratories, LLC, Alkem Laboratories Ltd., Indchemie Health Specialties Private Ltd., Glenmark Generics Inc., USA (n/k/a Glenmark Pharmaceuticals Inc.), Glenmark Generics Ltd. (n/k/a Glenmark Pharmaceuticals Ltd.), Glenmark Pharmaceuticals S.A. (n/k/a Ichnos Sciences S.A.), Watson Laboratories, Inc. (NV), Watson Laboratories, Inc. (DE) (n/k/a Actavis Laboratories UT, Inc.), Watson Laboratories, Inc. (NY) (later known as Actavis Laboratories NY, Inc.), Watson Laboratories, Inc. (CT), Watson Pharma, Inc. (n/k/a Actavis Pharma, Inc.), Watson Pharmaceuticals Inc. (later known as Actavis, Inc.), Teva Pharmaceutical Industries Ltd., Teva Pharmaceuticals USA, Inc., ANI Pharmaceuticals, Inc., Amerigen Pharmaceuticals, Inc., and Amerigen Pharmaceuticals, Ltd.

<u>EVENT</u>	<u>DEADLINE</u>
Defendants file Motion(s) to Dismiss the Amended Complaints	April 19, 2022
Plaintiffs file Opposition(s) to Motion(s) to Dismiss	May 23, 2022
Defendants file Repl(ies) in further support of Motion(s) to Dismiss	June 24, 2022

For the renewed motions, the parties have agreed to a minor revision of the page limits that applied to the motions previously considered by the Court, but the aggregate page count will be the same.

Submitted: March 4, 2022

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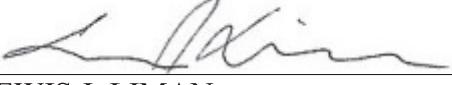
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IT IS SO ORDERED.

Dated: March 7, 2022
New York, New York


LEWIS J. LIMAN
United States District Judge